

Notice of Exemption

TO: Office of Planning and Research 1400
Tenth Street, Room 212 Sacramento,
California 95814

FROM: California Energy Commission
715 P Street
Sacramento, California 95814

Project Title: Update to the 2022 Compliance Manuals

Project Location: 715 P Street Sacramento, California 95814

Description of Nature, Purpose, and Beneficiaries of Project:

Public Resources Code section 25402.1(e) directs the California Energy Commission (CEC) to certify an energy conservation manual for use by designers, builders, and contractors of residential and nonresidential buildings no later than 180 days after approval of the updates to the *Building Energy Efficiency Standards* (Energy Code) in Part 6 and Part 1 of Title 24 of the California Code of Regulations.

To implement the requirement of section 25402.1(e), CEC staff developed an energy conservation manual that is comprised of several documents, including residential and nonresidential compliance manuals, residential and nonresidential alternative compliance method reference manuals, a data registry requirements manual, and other compliance forms. These documents combined contain information to assist designers, builders, and contractors in meeting the 2022 Energy Code, including forms, charts, and other data. As part of developing the energy conservation manual, the CEC developed new content for the Residential Compliance Manual and the Nonresidential Compliance Manual (Compliance Manuals), which explain the requirements of the 2022 Energy Code to interested persons. The CEC certified the Compliance Manuals at a CEC business meeting on May 11, 2022.

Name of Public Agency Approving Project: California Energy Commission

Name of Person or Agency Carrying Out Project: California Energy Commission

Exempt Status: (Check One)

- Ministerial (Sec. 21080(b)(1), 15268)
- Declared Emergency (Sec. 21080(b)(3), 15269(a))
- Emergency Project (Sec. 21080(b)(4), 15269(b)(c))

Categorical Exemption: State type and section number: _____

- Statutory Exemption: State code number: _____
- Other: Common Sense (Sec. 15061(b)(3)). Not a project.

Reasons why the project is exempt:

Not a Project. The Compliance Manuals are not a project because they do not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment (California Code of Regulations, Title 14, section

15061(a).). The CEC certifies an energy conservation manual to assist interested persons with complying with the Energy Code, pursuant to Public Resources Code section 25402.1(e). The energy conservation manual provides information regarding the 2022 Energy Code, which were previously adopted on August 11, 2021, and approved by the California Building Standards Commission on December 14, 2021. The energy conservation manual does not impose any new requirements and therefore has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Accordingly, the energy conservation manual, including the Compliance Manuals, do not meet the definition of a project under the California Environmental Quality Agency (CEQA).

Common Sense Exemption. Further, even if the Compliance Manuals were considered a “project,” they would not be subject to the CEQA under the "common sense" exemption (California Code of Regulations, Title 14, section 15061(b)(3)) because they do not have a significant effect on the environment or result in a physical change to the environment. The Compliance Manuals act as reference and instructional guides that reiterates the language already contained in the 2022 Energy Code. The Compliance Manuals contain no new requirements to comply with the 2022 Energy Code. Thus, the Compliance Manuals do not have the potential to have a significant effect on the environment.

Lead Agency Contact Person

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Signature: 

Date: May 16, 2022

Title: Deputy Director, Efficiency



Signed by the Lead Agency

Date received for filing by